

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 7, 1996, the following members were present:

Nancy McCaffree, Chair  
Dave Fisher, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator  
Utility Division

(426) In the matter of US WEST COMMUNICATIONS - Docket N96.9.153; On September 10, 1996, US West Communications filed to introduce a promotional offering called 12 For 10, which will give business customers who subscribe to certain features (voice messaging, caller ID, call waiting, customized call management [standard feature package] or call forwarding--busy line/don't answer) two months of one or more of these services free if they pay in advance for ten months of the service(s). The promotional period will run from October 14 through December 13. Commissioner Rowe moved to approve the promotional offer. Commissioner Fisher seconded the motion, which passed unanimously.

(427) In the matter of MCI TELECOMMUNICATIONS - Docket N96.9.159; On September 23, 1996, MCI filed minor text changes to its metered use service tariff for Option B (credit cards) and for Option V (advanced Option I for small business). Commissioner Fisher moved to approve the text changes to the tariff. Commissioner Rowe seconded the motion, which passed unanimously.

(428) In the matter of PTI COMMUNICATIONS ("PTI") - Docket N96.9.158; On September 23, 1996, Northwestern Telephone Systems, Inc. dba PTI Communications ("PTI") filed Tariff Advice No. 96-3, to Tariff P.S.C. Mont. No. 11. PTI is proposing to re-introduce a promotional offering in which the network access line connection (\$28.95) non-recurring charge will be waived when residential customers subscribe to an additional one-party residential line, for the period October 15, 1996 through January 31, 1997. This was a notice item on Agenda No.96-9-30. Staff recommends approval. Commissioner Rowe moved to approve Tariff Advice No. 96-3. Commissioner Fisher seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator  
Transportation Division

(429) In the matter of Docket T-96.109.OTH - The Montana Tariff Bureau, a wholly owned subsidiary of Motor Carriers Services, Inc., PO Box 1714, Helena, Montana filed an application pursuant to Title 69, ch. 12, part 6, MCA for approval of a Rate and Tariff Agreement

and Rules of Procedure governing participating Montana intrastate motor carriers of passengers and household goods. The application has been noticed and no protests or requests for hearing have been received. Commissioner Fisher moved to approve Montana Tariff Bureau's Rate and Tariff Agreement and Rules of Procedure. Commissioner Rowe seconded the motion, which passed unanimously.

(430) In the matter of Docket T-95.31.PCN; On March 27, 1995 Kurt Adam Slonka dba Captain's Chair, Kalispell, Montana filed an application for expanded authority to transport medical passengers. Applicant subsequently requested the PSC suspend his existing authority and delay further action on the request for additional authority (December 1995). Attempts to locate Applicant have failed and he is no longer in business. Staff recommends closure of the docket. Commissioner Rowe moved to close Docket No. T-95.31.PCN. Commissioner Anderson seconded the motion, which passed unanimously.

(431) In the matter of Docket T-95.76.PCN; On May 20, 1996, the PSC granted authority to Robert and Jamie Lindburg, Bigfork, Montana by Final Order No. 6404a. Applicants have failed to complete compliance by filing liability insurance and tariff schedules. An Order to Show was issued with no response. Commissioner Rowe moved to cancel the authority previously granted by Final Order No. 6404a. Commissioner Fisher seconded the motion, which passed unanimously.

(432) In the matter of TN1816 - James H. Michael and Joan P. Michael dba Airport Shuttle Service, Kalispell, Montana requests authorization to lease PSC No. 3664 to Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana for a one year period, October 7, 1996 to October 7, 1997.

Class B - Persons and baggage from Kalispell, Montana, and a two mile radius thereof to Glacier International Airport via U.S. Highway No. 2, and State Highway No. 206, serving all intermediate points and return. Limitations: The transportation of persons and baggage between points and places within the City of Kalispell and a two mile radius thereof is prohibited.

Class B - Persons and baggage deplaning from Frontier Airlines and Hughes Airwest flights at Glacier Park International Airport to West Glacier, Montana, and return over Montana Highway No. 206 and 40 and U.S. Highway No. 2, subject to the condition that carrier advise Glacier Park, Inc., of its proposed service schedule and take such steps as may be reasonably necessary to coordinate service with that furnished by Glacier Park, Inc.

Class B - Persons and personal baggage between all points and places within Kalispell

and a three (3) mile radius thereof. Limitations: 1) Transportation of passengers in limousine service is prohibited. 2) Transportation of Burlington Northern train crews is prohibited. 3) Transportation of express is prohibited. 4) Utilization of vans is restricted to the transportation of fifteen (15) people, or less, per vehicle.

Commissioner Rowe moved to approve the request to lease PSC No. 3664 for a period of one year. Commissioner Anderson seconded the motion, which passed unanimously.

(433) In the matter of TN1817 - Intermountain Transportation, Inc., Anaconda, Montana requests authorization to continue the lease of PSC No. 31 to Rimrock Stages, Inc. dba Rimrock Trailways, Billings, Montana for a one year period, October 15, 1996 to October 15, 1997. Commissioner Fisher moved to approve the request to continue the lease of PSC No. 31 for a period of one year. Commissioner Rowe seconded the motion, which passed unanimously.

(434) In the matter of TN1818 - Boyne USA, Inc. dba Big Sky of Montana, Big Sky, Montana requests authorization to lease PSC No. 7316 to Montana Motor Coach Ltd., Bozeman, Montana for the period October 7, 1996 to April 16, 1997.

Class B - Passengers and baggage 1) between Huntley Lodge (Big Sky Resort) and Bozeman airport, 2) between Huntley Lodge (Big Sky Resort) and West Yellowstone Airport.

Commissioner Fisher moved to approve the request to lease PSC No. 7316 for a period of six months. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE  
Laura Calkin  
Centralized Services

(435) In the matter of the approval of Commission Minutes; Commissioner Fisher moved to approve the Commission Minutes for the weeks of September 23 and September 30, 1996. Commissioner Rowe seconded the motion, which passed unanimously.

(436) In the matter of the approval of the Commission calendar; Commissioner Fisher moved to approve the November, 1996 calendar as drafted. Commissioner Rowe seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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NANCY McCAFFREE, Chair

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DAVE FISHER, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, October 9, 1996, the following members were present:

Nancy McCaffree, Chair  
Dave Fisher, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE

Karen Hammel, Mike Lee

(437) In the matter of the Commission's discussion of Carrier Common Line Restructure Filing - Docket No. D96.4.70; Commissioner Oberg moved to direct staff to draft an order which approves US West Communication's restructuring of Carrier Common Line with certain conditions. Commissioner Fisher seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Ron Woods

(438) In the matter of the Commission's discussion of Montana Consumer Counsel's objections to certain USWC data responses in the depreciation case rate filing - Docket No. D96.8.131; Commissioner Oberg moved to deny MCC objections to US West's response to MCC-15. Commissioner Anderson seconded the motion, which passed.

## Commissioners

McCaffree, Fisher, Oberg and Anderson voted aye. Commissioner Rowe dissented.

Commissioner Rowe moved to approve staff recommendations on MCC's objection to 1, 3, 6, 10 and 11. Commissioner Fisher seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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NANCY McCAFFREE, Chair

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DAVE FISHER, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 15, 1996, the following members were present:

Nancy McCaffree, Chair  
Dave Fisher, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner

Commissioner Rowe was attending meetings outside the building, but left his votes with the Commission Secretary.

## APPEARANCE

Dan Elliott, Administrator  
Utility Division

(439) In the matter of SPRINT COMMUNICATIONS CO. - Docket N96.9.163; On September 25, 1996, Sprint Communications filed revisions to their Tariff Montana P.S.C.

Price List No. 1. The filing reflects some minor text changes, and introduces Sprint/Kroger Prepaid Calling Card, Sprint/Exxon Prepaid Calling Card and Sprint/Sam's Club Prepaid Calling Card. Staff recommends approval. Commissioner Fisher moved to approve the tariff revisions. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(440) In the matter of US WEST COMMUNICATIONS - Docket N96.9.164; On

September

25, 1996, US West Communications filed to combine Call Waiting Deluxe and Caller ID into

one feature called US West Receptionist. Under the proposal, Call Waiting Deluxe will no

longer be available as a stand-alone service, but Caller ID will still be available separately.

The monthly charge for US West Receptionist will be the sum of the current charges for Call

Waiting Deluxe and Caller ID. Commissioner Fisher moved to approve the filing. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted

aye.

(441) In the matter of US WEST COMMUNICATIONS - Docket N96.9.165; On September

25, 1996, US West Communications filed a tariff revision to clarify the effective dates of the

cellular loaner program will be from September 12, 1996, to September 12, 1998. Commissioner Anderson moved to approve the tariff revisions.

Commissioner Fisher seconded the

motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Laura Calkin

Centralized Services

(442) In the matter of the approval of Commission Minutes; Commissioner Fisher moved to

approve the Commission Minutes for the week of October 7, 1996. Commissioner Anderson

seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

There being no further business to come before the Commission the meeting was adjourned.

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NANCY McCAFFREE, Chair

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DAVE FISHER, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, October 16, 1996, the following members were present:

Nancy McCaffree, Chair  
Dave Fisher, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE

Martin Jacobson, Dan Elliott

(443) In the matter of the Commission's discussion of the Montana Power Company Natural Gas Rate Case and pending motions - Docket D96.2.22; Commissioner Oberg moved to overrule NMOG's on MPC's response to Data Request No. NMO046, to direct MPC to respond with certain qualifications to DEQ Data Request DEQ 1-005 and to deny motion for continuance. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE

Denise Peterson, Bonnie Lorang, Wayne Budt

(444) In the matter of the Commission's discussion of Docket No. T-96.33.PCN - Montana Limousine Service; Commissioner Fisher moved to grant the motion by Karst Stage Inc. and dismiss the application without prejudice for applicants failure to respond to discovery. Com-missioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Karen Hammel, Mike Sheard

(445) In the matter of the Commission's discussion of an appeal of the Federal Communi-cations Commission Interconnection Order; Commissioner Rowe

moved to intervene in the 8th Circuit Case in support of NARUC's position. Commissioner Fisher seconded the motion, which passed unanimously.

(446) In the matter of the Commission's discussion of local competition issues and matters - Docket No. D96.2.16; Commissioner Fisher moved to deny the motion of Montana Telecom-munication Association without prejudice for additional time to file comments and/or delay hearing. Commissioner Anderson seconded the motion, which passed unanimously.

Commissioner Anderson moved to file a motion for reconsideration with the FCC of its decision on pay phones. Commissioner Rowe seconded the motion, which passed. Commissioners Fisher, Anderson and Rowe voted aye. Commissioners McCaffree and Oberg dissented.

(447) In the matter of the Commission's discussion of the Western Wireless Arbitration Request - Docket No. D96.9.150; Commissioner Anderson moved to grant late intervention to the Montana Consumer Counsel. Commissioner Fisher seconded the motion, which passed unanimously.

Commissioner Rowe moved to direct staff to issue the protective order. Commissioner Fisher seconded the motion, which passed unanimously.

Commissioner Anderson moved to deny the USWC motion to dismiss the arbitration request. Commissioner Rowe seconded the motion, which passed unanimously.



## APPEARANCE

Karen Hammel, Jeaneen Campbell

(448) In the matter of the Commission's discussion of Docket No. N96.8.145 - a US West Communication tariff filing dealing with market and technical trials; Commissioner Oberg moved to defer action for one week. Commissioner Anderson seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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NANCY McCAFFREE, Chair

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DAVE FISHER, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 21, 1996, the following members were present:

Nancy McCaffree, Chair  
Dave Fisher, Vice Chair  
Danny Oberg, Commissioner

Commissioners Rowe and Anderson were attending the NARUC DOE meeting in Santa Fe, New Mexico. Both Commissioners left their votes with the Commission Secretary.

## APPEARANCE

Dan Elliott, Administrator  
Utility Division

(449) In the matter of MDU RESOURCES GROUP INC. - Docket D96.10.166; On October 1, 1996, MD. filed an application seeking authority to issue and sell up to 2,285,715 shares of Common Stock for corporate development purposes within a two-year period. These shares may be issued directly to a seller or sellers as consideration for the acquisition of business assets. Alternatively, the additional Common Stock may be issued and sold on the open

market, from time to time, the cash proceeds therefrom to be used for the acquisition of business assets, including the repayment of a portion of outstanding short-term financing incurred in acquiring business assets by the Applicant or its subsidiaries. A Default Order has been drafted. Commissioner Fisher moved to grant Default Order No. 5950. Commissioner Oberg seconded the motion, which passed unanimously. Commissioners Rowe and Anderson voted aye.

(450) In the matter of US WEST COMMUNICATIONS - Docket N96.10.171; Pursuant to Commission direction, staff has drafted a letter to US West seeking clarification of the status of the company's TELRIC studies and related matters in light of the stay of the implementation of the FCC's pricing rules. The draft letter has been distributed and is ready for action. Commissioner Oberg moved to approve the Chair signing and sending the letter to US West Communications. Commissioner Fisher seconded the motion, which passed unanimously. Commissioners Rowe and Anderson voted aye.

APPEARANCE  
Bonnie Lorang  
Transportation Division

(451) In the matter of TN1819; Thomas F. Kenneally, Butte, Montana requests authorization to continue the lease of PSC No. 4448 to The McGree Corporation, Butte, Montana for the period October 12, 1996 to October 12, 1997.

Class D - Ashes, trash, waste, refuse, rubbish and garbage within the town of Whitehall, Montana, and to or from points tributary thereto, but within a distance not exceeding eighty (80) miles in any direction from town. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Commissioner Fisher moved to grant permission to continue the lease of PSC No. 4448 for a period of one year. Commissioner Oberg seconded the motion, which passed unanimously. Commissioners Rowe and Anderson voted aye.

APPEARANCE  
Laura Calkin  
Centralized Services

(452) In the matter of the approval of Commission Minutes; Commissioner Fisher moved to approve the Commission Minutes for the week of October 15, 1996. Commissioner Oberg seconded the motion, which passed unanimously. Commissioners Rowe and Anderson voted aye.

There being no further business to come before the Commission the meeting was adjourned.

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NANCY McCAFFREE, Chair

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DAVE FISHER, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, October 24, 1996, the following members were present:

Nancy McCaffree, Chair  
Dave Fisher, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner

Commissioner Rowe was attending meetings in the Flathead area and did not vote on the following item.

APPEARANCE  
Martin Jacobson

(453) In the matter of the Commission's discussion of EAS (Extended Area Service)  
D96.10.167 - Gas Tracker; Commissioner Oberg moved to issue Interim Order No. 5952.  
Commissioner Fisher seconded the motion, which passed. Commissioners McCaffree, Fisher and Oberg voted aye. Commissioner Anderson dissented.

Commissioner Oberg moved to grant the motion for Protection Order No. 5952A. Commissioner Fisher seconded the motion, which passed unanimously.

(453a) In the matter of the Commission's discussion of Montana Dakota Utilities Fall Semi  
Annual Gas Tracking Procedure - Docket No. D96.10.167; Commissioner Oberg moved to  
grant Protective Order No. 5952a and extend notice by a 14 (fourteen) day period. Commissioner Fisher seconded the motion, which passed 3-1.  
Commissioner Rowe abstained.  
Commissioner Anderson dissented.

There being no further business to come before the Commission the meeting was adjourned.

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NANCY McCAFFREE, Chair

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DAVE FISHER, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 28, 1996, the following members were present:

Nancy McCaffree, Chair  
Dave Fisher, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE  
Dan Elliott, Administrator  
Utility Division

(454) In the matter of BLACK HILLS POWER & LIGHT - Docket D96.9.157; On September 23, 1996, BHP&L filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on October 3, 1996. Requests for hearing were due by October 28, 1996. No requests have been received. This application will increase rates by \$10,220 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Commissioner Oberg moved to issue Default Order No. 5951. Commissioner Rowe seconded the motion, which passed unanimously.

(455) In the matter of WorldCom Network Services, Inc. Docket N96.10.169; On October 8, 1996, WorldCom Network Services, Inc d/b/a WilTel Network Services, notified the Commission of a transfer of assets from Communications Network Corporation a/k/a Conetco to WilTel. These assets were transferred according to an involuntary Chapter 11 bankruptcy petition against Conetco. An order approving the transfer has been drafted. Commissioner Rowe moved to issue Default Order No. 5953. Commissioner Fisher seconded the motion, which passed unanimously.

APPEARANCE  
Bonnie Lorang  
Transportation Division

(456) In the matter of TN1820 - Clark's Tours, Inc., Red Lodge Montana requests authorization to continue the lease of PSC No. 9388 to Michael J. Vick & Nancy E. Immel dba Red Lodge Shuttle, Red Lodge, Montana for a six month period October 15, 1996 to April 15, 1997.

Class B - Persons and baggage (1) between all points and places in Carbon County, Montana; and (2) between all points and places in Carbon County, Montana on the one hand and on the other hand all points and places in the State of Montana.

Commissioner Rowe moved to grant permission to continue to lease PSC No. 9388 for a period of 6 months. Commissioner Fisher seconded the motion, which passed unanimously.

(457) In the matter of TN1821 - David E. Marshall dba Elkhorn Excursions, Boulder, Montana requests authorization to lease PSC No. 9371 to Patricia Lewis dba Free Enterprise Health Mine, Boulder, Montana for a one year period October 23, 1996 to October 23, 1997.

Class B - Passengers between radon health mines located in Jefferson County and points located within Jefferson, Lewis & Clark, Powell & Silver Bow Counties. Limitations: (1) Transportation is limited to that provided with vehicles having a rated seating capacity of twelve (12) passengers or less. (2) Transportation of passengers in charter service is prohibited. (3) Transportation of railroad crews is prohibited. (4) Transportation by limousines is prohibited.

Commissioner Anderson moved to approve the lease for a period of one year. Commissioner Rowe seconded the motion, which passed unanimously. (458) In the matter of Docket T-96.80.OTSC - Polzin, Inc., Stanford, Montana has failed to file a 1995 annual report and filing fee. An Order To Show Cause has been issued and received with no response. Staff recommends cancellation of PSC No. 3588.

Class B - Livestock between all points and places in the State of Montana.

Class C - Property within the town of Stanford, Montana, and within a radius of seventy (70) miles of said town. Limitations: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

Commissioner Anderson moved to cancel PSC No. 3588. Commissioner Rowe seconded the motion, which passed unanimously.

(459) In the matter of Docket T-96.103.OTSC - Kurt Adam Slonka dba Captain's Chair, Kalispell, Montana has failed to file a 1995 annual report and filing fee. An Order To Show Cause has been issued; all mail is being returned marked "Box Closed, Unable To Forward". Staff recommends cancellation of PSC NO. 9368.

Class B - Nonemergency medical and psychiatric patients from Flathead and Lincoln Counties to medical appointments at health care facilities in Missoula County and return; from Lincoln County to medical appointments at health care facilities in Flathead County and return. Limitations: 1) Transportation of

passengers in charter service is prohibited. 2) Transportation is limited to vehicles with a passenger capacity of eight (8) or less.

Commissioner Rowe moved to cancel PSC No. 9368. Commissioner Anderson seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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NANCY McCAFFREE, Chair

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DAVE FISHER, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 29, 1996, the following members were present:

Dave Fisher, Acting Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

Commissioner McCaffree was absent, but left her proxy with Commissioner Fisher regarding the following item.

APPEARANCE  
Martin Jacobson, Robin McHugh

(460) In the matter of the Commission's discussion of Rules of Conduct and Ethical Guidelines; Commissioner Rowe moved to approve the staff draft of rules subject to technical editing. Commissioner Anderson seconded the motion, which passed unanimously. McCaffree voted aye.

There being no further business to come before the Commission the meeting was adjourned.

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DAVE FISHER, Acting Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

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NANCY McCaffree, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)